

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - SE/Corner Loch Raven & Joppa Roads (1701 East Joppa Road) 9th Election District 4th Councilmanic District Joppa & Loch Raven Auto Ctr. Petitioners

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 89-510-SPHA

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve an amendment to the previously approved site plan in Case No. 86-19-XA; and a variance to permit a side yard setback of 6 feet in lieu of the required 30 feet for a proposed building in accordance with Petitioner's Exhibit 1.

The Petitioners, by James N. Porter, President, appeared and testified. Also appearing on behalf of the Petition were Anthony J. Cortesi with STV/Lyon Associates, and Joseph P. Martin. There were no Protestants.

Testimony indicated that the subject property, known as 1701 East Joppa Road, consists of 0.275 acres zoned B.K.-C.N.S., and is presently improved with a one story service station which was previously operated as an Exxon service station. Testimony indicated that in Case No. 86-19-XA, Petitioners were granted a special exception and variances to construct a gas 'n' go station in combination with a convenience store. Petitioners testified these improvements never took place and that the site has remained impermeable for several years. In the prior case, a variance was granted to the rear yard, which was originally established as the eastern property border adjacent to the Paul Schafer property. However, the service station at that time was to be oriented towards Loch Raven Boulevard. The proposed service station will be oriented towards Joppa Road as

set forth in Petitioner's Exhibit 1. Accordingly, the southern property line now borders the side yard. Petitioners presented testimony and evidence in support of the requested variance for the affected side yard and the requested amendment to the previously approved site plan. Additional testimony as presented to support the use of the variance previously granted for the rear property line. Testimony indicated the existing service station will be razed and a new building constructed for use as a Echo Tune and Tune station. The drive thru bays in the center of the property will be used to perform oil and lube jobs; the bays to the rear of the building will be used for tune ups and brake work.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the use proposed is permitted as a matter of right in the B.R. zones and the requested amendment to the previously approved site plan to permit an Echo Tune and Lube station in lieu of a gas 'n' go operation on the subject property should be granted with certain restrictions as more particularly described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 268 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

#### PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: A SPECIAL HEARING

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 230.2 to allow a side yard building setback of 6 feet in lieu of the required 30 feet. Also Special Hearing to amend variances approved in Case No. 86-19-XA.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty.)

Size of site (0.33 Ac) and required setbacks in a BR Zone preclude a workable development on this site.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I We do solemnly declare and affirm under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Joppa & Loch Raven Auto Centers, Inc. (Type or Print Name)

Signature: James N. Porter (Type or Print Name)

Address: 140 Back River Neck Rd. 21221 Baltimore, Md. (City and State)

City and State: Baltimore, Md. 21221

Attorney for Petitioner: Anthony J. Cortesi (Type or Print Name)

Signature: Anthony J. Cortesi (Type or Print Name)

Address: 21 Governors Ct. 21207 21207 (City and State)

City and State: Baltimore, Md. 21207

Attorney's Telephone No.: 21207 21207

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of June, 1989, that the subject matter of this petition be advertised as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through out Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of June, 1989, at 2 o'clock P.M.

STV/LYON ASSOCIATES  
ENGINEERS ARCHITECTS PLANNERS  
21 GOVERNORS COURT  
BALTIMORE, MARYLAND 21207 21207  
301/644-9112

(over)

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 19 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the special hearing and variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of June, 1989 that the Petition for Special Hearing to approve an amendment to the previously approved site plan in Case No. 86-19-XA; and the petition for Zoning Variance to permit a side yard setback of 6 feet in lieu of the required 30 feet for a proposed building in accordance with Petitioner's Exhibit 1, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) Compliance with all Zoning Plans Advisory Committee comments submitted hereto and made a part of the file.
- 3) A landscaping plan shall be developed and submitted for approval by the Baltimore County Landscape Planner.
- 4) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement

#### STV/LYON ASSOCIATES

ENGINEERS ARCHITECTS PLANNERS  
21 GOVERNORS COURT  
BALTIMORE, MD 21207 21207  
301/644-9112

ZONING DESCRIPTION  
NO. 1701 EAST JOPPA ROAD AT LOCH RAVEN BOULEVARD  
NINTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

BEGINNING FOR THE SAME at a point along the southeast side of Joppa Road, at a point located along the two following courses and distances from the intersection formed by the centerlines of the existing paving of Loch Raven Boulevard and Joppa Road; with the centerline of Joppa Road, North 68°30'20" East 162 feet + and South 21°29'40" East 33 feet + to said point of beginning, thence leaving the southeast side of Joppa Road and running,

1. South 22°49'15" East 127.84 feet thence,
2. South 68°54'45" West 66.00 feet thence,
3. North 22°49'15" West 4.92 feet thence,
4. South 72°25'45" West 84.05 feet to a point on the east side of Loch Raven Boulevard, thence along same, by a curve to the left having,
5. A radius of 2,123.48 feet, an arc length of 76.00 feet, said curve being subtended by a chord bearing North 11°35'44" West 76.00 feet thence,
6. North 77°22'30" East 7.90 feet to the beginning of a site flare, thence by a curve to the right having,
7. A radius of 51.00 feet, an arc length of 72.10 feet, said curve being subtended by a chord bearing North 28°00'19" East 66.24 feet to a point along the southeast side of Joppa Road, thence along same,
8. North 68°30'20" East 75.76 feet to the point of beginning . . . containing 0.375 acre of land or 16,356 square feet, more or less.

Mark A. Riddle  
STV/LYON ASSOCIATES  
Mark A. Riddle  
Md. Reg. Property Line Surveyor No. 244



STV ENGINEERS, Architects, Engineers, Planners, Interior Designers, Environmental Planning, Surveying, Mapping, and Real Estate Services.

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333

J. Robert Haines  
Zoning Commissioner

June 23, 1989



Dennis F. Rasmussen  
County Executive

Mr. James N. Porter  
140 Back River Neck Road  
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCE  
SE/Corner Loch Raven Boulevard and Joppa Road  
(1701 East Joppa Road)  
9th Election District - 4th Councilmanic District  
Joppa and Loch Raven Auto Centers, Inc. - Petitioners  
Case No. 89-510-SPHA

Dear Mr. Porter:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

cc: People's Counsel  
File

#### CERTIFICATE OF PUBLICATION

89-510-514-A  
TOWSON, MD., May 22, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 22, 1989.

NORTHEAST TIMES

THE JEFFERSONIAN

S. E. R. O'Brien

Publisher

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 27th Date of Posting: 6/23/89  
Posted for: J. Robert Haines  
Petitioner: J. Robert Haines  
Location of property: 1701 East Joppa Road  
Location of Sign: 1701 East Joppa Road  
Remarks: 1. 1701 East Joppa Road  
Posted by: J. Robert Haines Date of return: 6/23/89  
Number of Sign: 1



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

Date: 6-9-89



Dennis F. Rasmussen  
County Executive

Joppa & Loch Raven Auto Centers, Inc.  
c/o James N. Porter  
140 Back River Neck Road  
Baltimore, Maryland 21201

Re: Petitions for Special Hearing and Zoning Variance  
SE Cor. Loch Raven Blvd. & Joppa Road  
1700 E. Joppa Road  
9th Election District - 4th Councilmanic  
Petitioner(s): Joppa and Loch Raven Auto Centers, Inc.  
HEARING SCHEDULED: WEDNESDAY, JUNE 14, 1989 at 2:00 p.m.

Gentlemen:

Please be advised that \$108.60 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before the hearing.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 6/9/89 ACCOUNT: 21204-111-1000 post set(s), there each set not

AMOUNT: \$108.60

RECEIVED FROM: J. Robert Haines

FOR: J. Robert Haines

or of

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

May 11, 1989

### NOTICE OF HEARING



Dennis F. Rasmussen  
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Hearing and Zoning Variance  
SE Cor. Loch Raven Blvd. & Joppa Road  
1700 E. Joppa Road  
9th Election District - 4th Councilmanic  
Petitioner(s): Joppa and Loch Raven Auto Centers, Inc.  
HEARING SCHEDULED: WEDNESDAY, JUNE 14, 1989 at 2:00 p.m.

Special Hearing: To amend variances approved in Case #86-19-XA.  
Variance: To allow a side yard building setback of 8 feet in lieu of the required 30 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines  
Zoning Commissioner

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: James N. Porter/Joppa & Loch Raven Auto Centers, Inc.  
Anthony J. Cortesi  
R. David Adelberg, Esq.  
File

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(801) 887-3333

J. Robert Haines  
Zoning Commissioner

May 9, 1989



Dennis F. Rasmussen  
County Executive

Mr. Anthony J. Cortesi  
STV/Lyon Associates  
21 Governor's Court  
Baltimore, Maryland 21207-2722

Re: Petitions for Zoning Variance and Special Exception  
S/W Corner Loch Raven Boulevard and Joppa Road  
Item #355

Dear Mr. Cortesi:

This to acknowledge and thank you for your letter of May 5, 1989.

Investigation into the matter reveals also communication within our office regarding this file. As you stated, your client did pay the additional filing fee and same was received by this office on March 6, 1989. Had the file been so noted on that date, hearing of this case would have been scheduled within the normal cycle, on or about June 6, 1989.

The fee payment was accredited on May 2, 1989, making May 2nd the acceptance date. Thus, the projected hearing date.

Again, thank you for your letter of May 5, 1989 calling my attention to these facts. In light of same, I have instructed the Tocket Clerk to schedule hearing of this matter on the earliest possible June date.

Formal notification of hearing will be mailed to you shortly.

Very truly yours,

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner  
Baltimore County, Maryland

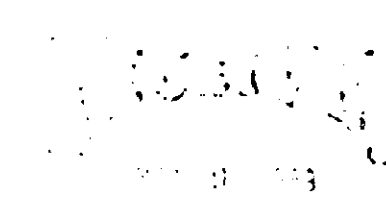
JRH:gs

cc: R. David Adelberg, Esq.

R. DAVID ADELBERG

110 W. Chesapeake Ave.  
Towson, Maryland 21204

May 8, 1989



Dennis F. Rasmussen  
County Executive

Mr. J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Towson, MD 21204

Re: Petition for Zoning Variance and Special Exception  
Southwest Corner of Loch Raven Blvd. and Joppa Road  
File #22189, Item No. 355

Dear Mr. Haines:

I represent the Petitioner in the above case. A Petition was filed in late February and all fees paid on or about March 2, 1989. Due to an administrative error, the fees were not credited to the account and our engineers have been advised that a hearing date is not available until August. This delay is causing the owner undue hardship.

It is requested that your office place the matter for hearing on an expedited basis with the date as soon as possible after the expiration of the requisite posting period.

Very truly yours,

R. David Adelberg

RDA:ca  
cc: Mr. James N. Porter

STV LYON ASSOCIATES

ENGINEERS ARCHITECTS PLANNERS  
210 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
(410) 281-1100 FAX (410) 281-1101

May 5, 1989  
89-827

Baltimore County  
Office of Planning and Zoning  
Towson, Maryland 21204

Attention: Mr. J. Robert Haines  
Zoning Commissioner

Reference: Petition for Zoning Variance  
and Special Exception  
Southwest Corner Loch Raven Blvd. and Joppa Road  
File #22189 Item No. 355

Our Job No.: 61-8193

Dear Mr. Haines:

On behalf of our client, Mr. James Porter, I would like to express my concern over the delay we have incurred for obtaining a hearing date on the above referenced project. On Wednesday, May 3, I checked on the status of this project with your office and was told that a hearing date could be expected some time in August. My client and I find this date totally unacceptable and it imposes severe hardship on my client, if in fact the August date is correct. In questioning your staff for the reason for such a long period from the date of filing to the date of the actual hearing, there did not seem to be any explanation.

However, there does appear to be a mix-up within your office as to payment of the following fees. Upon application, STV/Lyon Associates paid a fee of \$100.00 and was notified March 3 that an additional fee of \$100.00 was required. This fee was paid immediately by my client directly to your office and was not credited to this account. April 19 my client received another letter from your office requesting an additional fee of \$100.00 stating that if this fee was not paid within 15 days the petition would be dismissed and that previous fees would not be refunded.

Your cooperation in obtaining an earlier hearing date would be appreciated. Should you have any questions or require additional information, please do not hesitate to contact me at 301-944-9112.

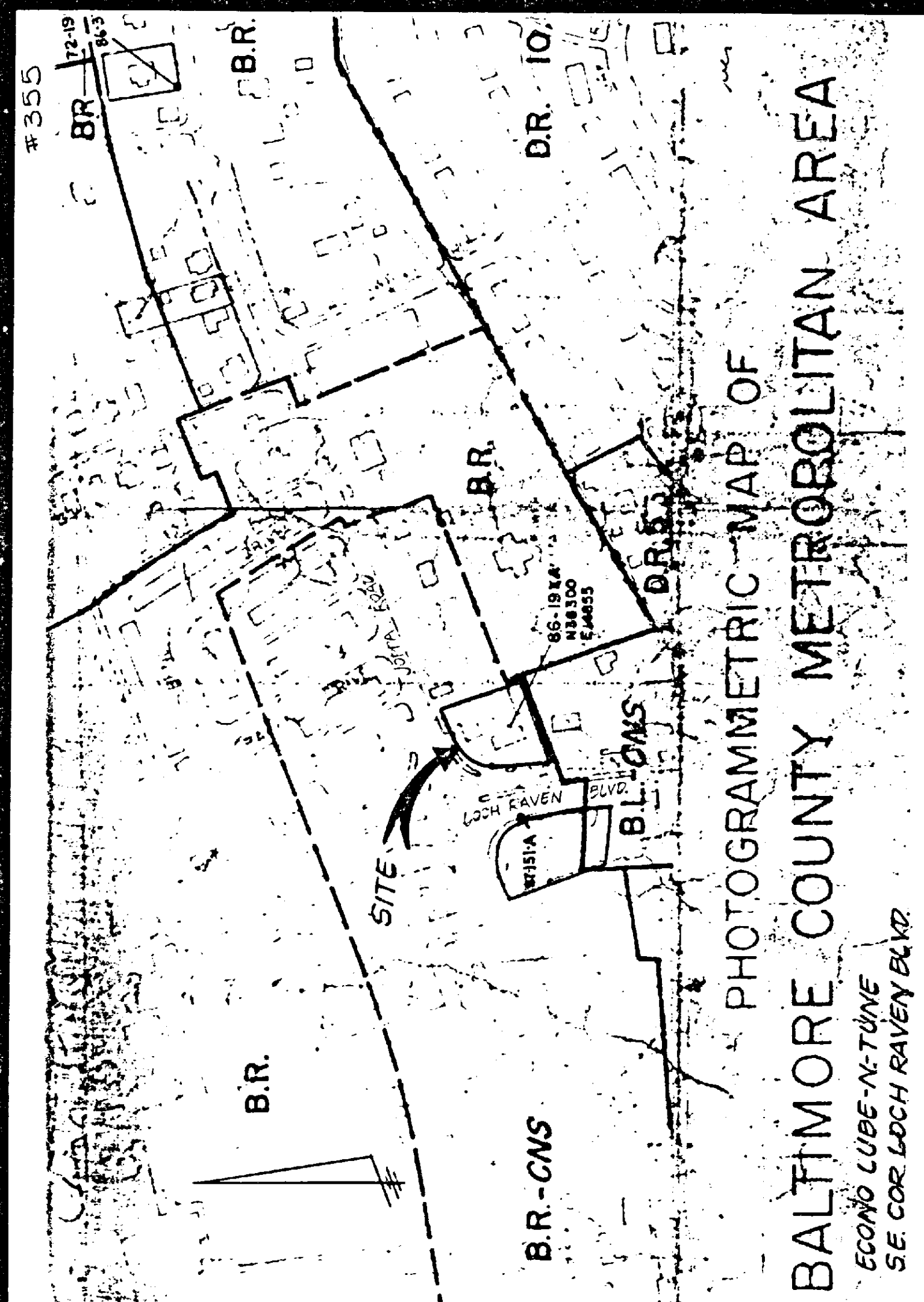
Very truly yours,

STV LYON ASSOCIATES

Anthony J. Cortesi  
Vice President

cc: James Porter

STV ENGINEERS, ARCHITECTS, PLANNERS, INTERIOR DESIGNERS



89-510-SPHA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
10th day of May, 1989

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

Petitioner: James N. Porter  
Petitioner's Attorney: \_\_\_\_\_

Received by: James E. Dyer  
Chairman, Zoning Plans  
Advisory Committee

### BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 31, 1989

COUNTY OFFICE BLDG.  
110 W. CHESAPEAKE AVE.  
TOWSON, MARYLAND 21204

000

Mr. James N. Porter  
140 Back River Neck Road  
Baltimore, MD 21221

RE: Item No. 355, Case No. 89-510-SPHA  
Petitioner: James N. Porter  
Petition for Zoning Variance

Dear Mr. Porter:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULE WINTAKEL, IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 801-5011.

Very truly yours,

James E. Dyer

Chairman

Zoning Plans Advisory Committee

JED:lw

Enclosures

cc: Mr. Anthony J. Cortesi  
21 Governor's Court  
Baltimore, MD 21204





Maryland Department of Transportation  
State Highway Administration

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

May 12, 1989

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Baltimore County  
Econo Lube-N-Tune  
Zoning Meeting of 5-9-89  
E/S Loch Raven Blvd.  
(MD 542) at Joppa Road  
(Item #355)

Attn: Mr. James Dyer

Dear Mr. Haines:

After reviewing the submit al for a variance to allow a side yard building setback of 6' in lieu of the required 30', we have the following comment.

The plan must be revised to show a future right of way line 8' behind the existing right of way line along Loch Raven Blvd. and no permanent structures may be placed within these limits.

It is requested this revision be made prior to a hearing date being set.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

*Crescent Mills, Jr.*  
Crescent Mills, Jr., Chief  
Engineering Access Permits  
Division

LB:maw

cc: STV/Lyon Associates  
Mr. J. Ogle

RECEIVED  
MAY 15 1989

ZONING OFFICE

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION AND RESOURCE MANAGEMENT

5-12-89  
Date

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item #355, Zoning Advisory Committee Meeting of May 9, 1989  
Property Owner: Joppa & Loch Raven Auto Centers, Inc.  
Location: 820 Joppa Rd. & Loch Raven Blvd. District 9  
Water Supply: M&T Sewage Disposal: M&T

COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for its review and approval.
- (✓) Prior to new installation of food handling equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation before work begins.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tanks (15,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, sauna, whirlpools, hot tubs, water and sewerage facilities or other amusement structures pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3311.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Nurseries and Child Care.
- (✓) If lubrication work and oil changes are performed at this location, the method providing for the collection of waste oil must be in accordance with the State Department of the Environment.
- (✓) Prior to fixing of existing structures, petitioner must contact the Division of Waste Management at 494-3765, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- (✓) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly baffled. Prior to removal of abandoned tanks must contact the Division of Waste Management at 494-3765.
- ( ) Soil permeation tests, have been \_\_\_\_\_ must be \_\_\_\_\_ conducted.
- ( ) The results are valid until \_\_\_\_\_
- ( ) Soil permeation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 15-147 of the Baltimore County Code, the water well yield test ( ) shall be valid until \_\_\_\_\_
- ( ) is not acceptable and must be repeated. This must be accomplished prior to conveyance of property and approval of Building Permit Application.
- ( ) Prior to occupancy approval, the probability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- (✓) Others: *disposal from petroleum storage tanks into District 9*  
*sanitary sewer main sewer interruption*

*[Signature]*  
BUREAU OF WATER QUALITY AND RESOURCE  
MANAGEMENT

Baltimore County  
Fire Department  
800 East Road  
Towson, Maryland 21204-2536  
(301) 887-4500  
Paul H. Reincke  
Chief

May 2, 1989



Dennis F. Rasmussen  
County Executive

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: Joppa & Loch Raven Auto Centers, Inc.

Location: 41701 East Joppa Road

Item No.: 355 Zoning Agenda: May 9, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*  
Planning/Group Inspection Division Fire Prevention Bureau

JK/ker

MAY 04 1989

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Tom Watson Date: January 5, 1989

FROM: Robert W. Bowling, P.E.

SUBJECT: Econo Lube-N-Tune  
S.E. Corner Loch Raven Boulevard & Joppa Road  
District 9C4

The CRG plan for the subject site dated August 17, 1988 has been reviewed by the Developers Engineering Division and the following comments are furnished:

GENERAL COMMENTS:

The Plan as submitted is satisfactory.

All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the Standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

HIGHWAY COMMENTS:

The entrance locations are subject to approval by the Bureau of Traffic Engineering.

Entrances shall be a minimum of 24 feet and a maximum of 35 feet wide, shall have 10-foot minimum radii curb returns, shall be located a minimum of 15 feet from any property line, and shall be constructed in accordance with Baltimore County Standards (Details R-32, 1977 Edition), as the Developer's total responsibility.

Prior to removal of any existing curb for entrances, the Developer shall obtain a permit from the Bureau of Public Services (494-3321 for commercial or 494-3363 for residential).

Sidewalks are required adjacent to the public roads serving this site. The walks shall be 5 feet wide and shall be installed to conform with Baltimore County Standards.

CPS-008

Econo Lube-N-Tune  
Page 2  
January 5, 1989

STORM DRAINS AND SEDIMENT CONTROL COMMENTS:

The Developer must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Developer.

Sediment control provisions will be required for the building permit application and for any grading involved.

WATER AND SANITARY SEWER COMMENTS:

The Developer is responsible for the cost of capping or plugging any existing house connection not used to serve the proposed site.

The Developer will be given credit for one System Connection Charge for each existing house which is now connected into the public services.

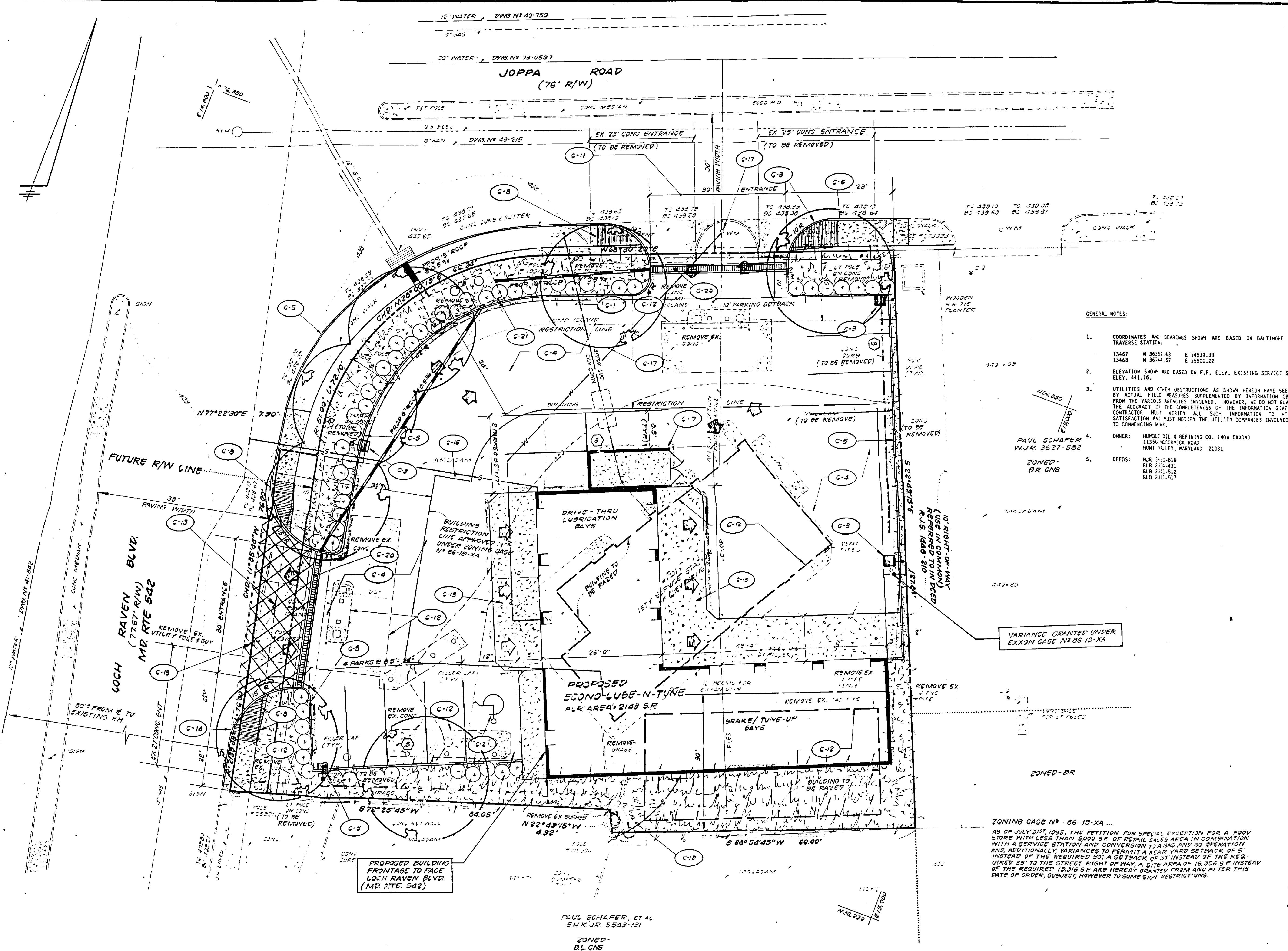
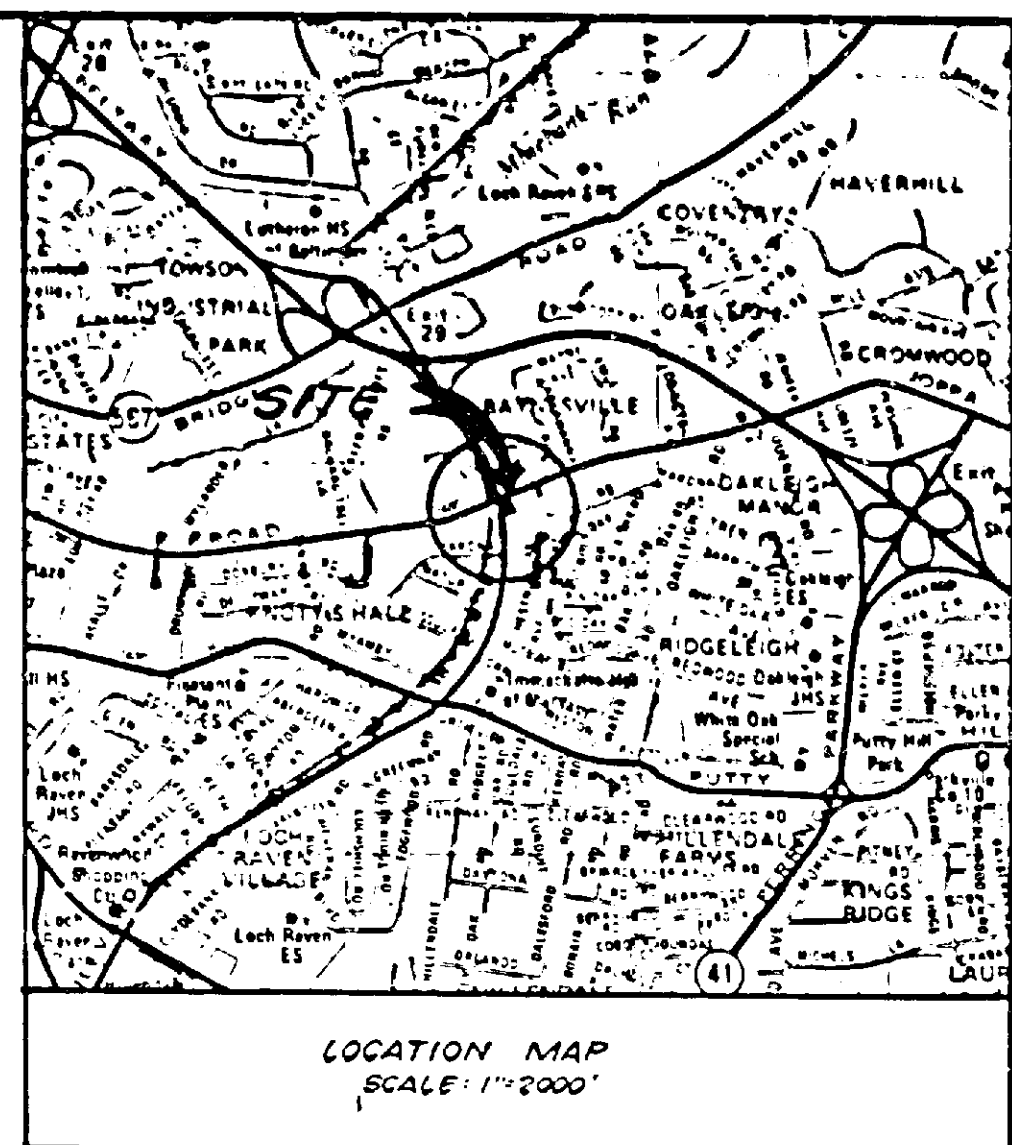
Permission to connect to, or (to reconnect additional sanitary fixtures to) the existing public sanitary sewer may be obtained from the Department of Permits and Licenses.

Robert W. Bowling, P.E., Chief  
Developers Engineering Division

RWB:DFM:pab  
cc: File

ECONO/TXTMEMOR





GENERAL NOTES:

- COORDINATES AND BEARINGS SHOWN ARE BASED ON BALTIMORE COUNTY TRAVELER STATION: 13467 N 3639.43 E 14839.38 13468 N 3674.57 E 15800.22
- ELEVATION SHOWN ARE BASED ON F.F. ELEV. EXISTING SERVICE STATION ELEV. 441.16.
- UTILITIES AND OTHER OBSTRUCTIONS AS SHOWN HEREON HAVE BEEN MADE BY ACTUAL FIELD MEASURES SUPPLEMENTED BY INFORMATION OBTAINED FROM THE VARIOUS AGENCIES INVOLVED. HOWEVER, WE DO NOT GUARANTEE THE ACCURACY OR THE COMPLETENESS OF THE INFORMATION GIVEN. THE CONTRACTOR MUST VERIFY ALL SUCH INFORMATION TO HIS OWN SATISFACTION AND MUST NOTIFY THE UTILITY COMPANIES INVOLVED PRIOR TO COMMENCING WORK.
- OWNER: HUMBLE OIL & REFINING CO. (NOW EXXON) 11356 MCCORMICK ROAD HUNT VALLEY, MARYLAND 21031
- DEEDS: M/R 3190-616 GLB 2324-431 GLB 2211-512 GLB 2211-517
- TAX ACCOUNT NO.: 0905770126
- DEVELOPMENT NAME: ECONO LUBE 'N' TUNE S.E. CORNER OF LOCH RAVEN BLVD. & JOPPA ROAD NO. 1701 JOPPA ROAD, BALTIMORE, MD 21234
- ENGINEER: STV/LYON ASSOCIATES, ATTN: KENNETH GREEN 21 GOVERNOR'S COURT, BALTIMORE, MARYLAND 21207 DONALD J. WISE, P.E. (944-9112)
- ELECTION DISTRICT: 9
- COUNCILMANIC DISTRICT: 9
- SITE ACREAGE: GROSS 0.375 AC ±, NET 0.375 AC ±, OR 18,356 SF ±
- ESTIMATED ADT = 748
- EXISTING USE: EXXON SERVICE STATION PROPOSED USE: ECONO LUBE 'N' TUNE
- PARKING REQUIREMENTS: 1 PER 300 SF FLR. AREA = 7.14 USE 8 PARKING PROVIDED: 11 SPACES (INCLUDES 1 HANDICAP SPACE)
- EXISTING ZONING CLASSIFICATION: BR-CMS
- VARIANCE REQUESTED FROM SECTION 238.2 TO ALLOW A SIDE YARD BUILDING SETBACK OF 6' IN LIEU OF THE REQUIRED 30' SETBACK. BEARING TO ANOTHER APPROVED PETITION FOR VARIANCE.

PETITIONER'S EXHIBIT 1

CONSTRUCTION NOTES

- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ECONO LUBE 'N' TUNE STANDARD NOTES AND SPECIFICATIONS.
- NEW SITE IMPROVEMENTS WILL BE PERFORMED AS LISTED BELOW AND REFERENCED ON THE PLAN.
- INSTALL NEW 600 GALLON GREASE TRAP AND SANITARY LINES TIE INTO EXISTING LINE AS SHOWN.
- STRIPED PARKING AREA AS SHOWN FOR HANDICAPPED PARKING AREA.
- INSTALL NEW LOT LIGHTS, PER ECONO-LUBE-N-TUNE STANDARDS.
- INSTALL NEW BITUMINOUS PAVING TO GRADES AND LIMITS SHOWN. SEE DETAIL SHT. C-2.
- INSTALL NEW 6\" x 18\" CONCRETE CURBING. SEE DETAIL SHT. C-3.
- REMOVE EXISTING CONCRETE ENTRANCE AND INSTALL NEW CONCRETE CURB AND GUTTER PER BALTIMORE COUNTY STANDARD TO MATCH EXISTING. INSTALL NEW SIDEWALK TO MATCH EXISTING.
- CONSTRUCT NEW TRASH DUMPER. SEE ARCH PLANS FOR DETAILS.
- INSTALL NEW HANDICAP RAMP AT 1:12 SLOPE MAXIMUM.
- INSTALL NEW 12\" WATER SERVICE AND WATER SERVICE PER BALTIMORE COUNTY STANDARDS. OFFICE EXISTING METER IF POSSIBLE.
- INSTALL NEW 4\" SANITARY SEWER LINE. TIE INTO EXISTING. SLOPE 1/8\" PER FOOT.
- INSTALL NEW ENTRANCE PER BALTIMORE COUNTY STANDARDS. TIE INTO EXISTING CURB AND GUTTER AT THE NEAREST EXPANSION JOINT.
- REMOVE EXISTING BUILDING, ASPHALT PAVING, CONCRETE SLABS, OVERHEAD WIRES, CONCRETE CURBS, PUMP ISLANDS, BUSHES, FENCES, BOLLARDS, ETC. REMOVE AND CAP OFF ANY UTILITIES IF NECESSARY.
- INSTALL NEW ENTRANCE PER M.S.M.A. STANDARDS. TIE INTO EXISTING CURB AND GUTTER AT NEAREST EXPANSION JOINT. M.S.M.A. TYPE 'A' CONCRETE CURB & GUTTER AND STANDARD PAVING. SEE PLAN SECTION C-3.
- REMOVE EXISTING ENTRANCE AND INSTALL NEW CONCRETE CURB AND GUTTER PER M.S.M.A. STANDARDS TO MATCH EXISTING. INSTALL NEW SIDEWALK TO MATCH EXISTING.
- INSTALL NEW 5\" REINFORCED CONCRETE APRON SEE DETAIL SHT. C-4.
- NEW GAS SERVICE AND METER BY BALTIMORE GAS & ELECTRIC CO.
- RESET TOP OF WATER METER TO MATCH NEW GRADES. RE-ALIGN LINE FOR NEW SERVICE.
- RELOCATE EXISTING POLE NO. 237022.
- NEW ELECTRIC SERVICE AND METER.
- INSTALL TRENCH DRAIN SEE PROFILE SHT. C-6 & C-7.
- INSTALL WATER QUALITY CONTROL STRUCTURE. SEE SHT. C-6 & C-7 FOR DETAIL.

ZONING CASE NO. 86-13-XA  
AS OF JULY 31ST 1985, THE PETITION FOR SPECIAL EXCEPTION FOR A FOOD STORE WITH LESS THAN 5000 S.F. OF RETAIL SALES AREA IN COMBINATION WITH A SERVICE STATION AND CONVERSION TO GAS AND GO OPERATION AND, ADDITIONALLY, VARIANCES TO PERMIT A REAR YARD SETBACK OF 5' INSTEAD OF THE REQUIRED 30'; A SETBACK OF 30' INSTEAD OF THE REQUIRED 35' TO THE STREET RIGHT OF WAY; A SITE AREA OF 18,356 S.F. INSTEAD OF THE REQUIRED 12,316 S.F. ARE HEREBY GRANTED FROM AND AFTER THIS DATE OF ORDER, SUBJECT, HOWEVER, TO SOME SIGN RESTRICTIONS.

**STV / LYON ASSOCIATES**  
Engineers Surveyors Planners  
21 Governor's Court Baltimore, Maryland 21207  
Telephone : 301-944-9112

REVISIONS		
NO.	DATE	DESCRIPTION
1	12/1/80	MOVE CURB 3' PER ECONO-LUBE COMMENTS ALSO WATER & SEWER CONNECTION.
2	1/18/81	CHANGE ENT & PARKING
3	2/10/81	PER ZONING REVIEW COMMENTS
4	5/17/81	ADD FUTURE R/W LINE PER S.H.A. COMMENTS

PLAN PREPARATION	
DRAWN BY: S.J.C.	DATE: 1/25/81
DESIGNED BY: S.J.C., A.K.G.	SCALE: 1\"=10'
CHECKED BY:	JOB NO. 61-8193

ACCOMPANY PETITION FOR ZONING VARIANCE		DRAWING NO.
ECONO LUBE-N-TUNE		V-1
S.E. COR. LOCH RAVEN BLVD. & JOPPA ROAD		SHEET NO.
ELECT. DIST. 9 BALTO. CO., MD.		1 of 1